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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/764,497	01/27/2004	Manabu Shiozaki	50212-569

MCDERMOTT, WILL & EMERY
 600 13th Street, N.W.
 Washington, DC 20005-3096



CONFIRMATION NO. 6260

FORMALITIES LETTER



OC000000012935311

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/12/2004 JBALINAH 00000084 500417 10764497

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA
 02 FC:1051 130.00 DA
 03 FC:1053 130.00 DA
 04 FC:1201 258.00 DA
 05 FC:1202 1080.00 DA
 06 FC:1203 290.00 DA

Filing Date Granted

Items Required to Avoid Abandonment:

06 FC 1203 290.00 DA

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow

chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-22.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1030** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Manabu SHIOZAKI, et al.

Serial No.: 10/764,497

Filed: January 27, 2004

For: **DIFFRACTION GRATING ELEMENT, PRODUCTION METHOD OF DIFFRACTION GRATING ELEMENT, AND METHOD OF DESIGNING DIFFRACTION GRATING ELEMENT**



Customer Number: 20277

Confirmation Number: 6260

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

**RESPONSE TO NOTICE
OF MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated June 14, 2004, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Statutory Basic filing fee of \$770.00
3. Late Filing Fee Surcharge of \$130.00
4. English Translation Surcharge of \$130.00
5. Additional Independent Claims Fee of \$258.00
6. Additional Total Claims Fee of \$1080.00
7. Multiple Dependent Claims Fee of \$290.00
8. English Translation (w/Verification of Translation)
9. Preliminary Amendment
10. Formal Drawings (11 sheets)
11. Certified Copy of Japanese Priority Document
12. Information Disclosure Statement, PTO-1449 and 4 references
13. Assignment and Recordation Fee of \$40.00 (on separate postcard)

10/764,497

Please charge Deposit Account No. 500417 in the amount of \$2658.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the updated official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Arthur J. Steiner", is written over the printed name.

Arthur J. Steiner
Registration No. 26,106

600 13th Street, N.W.
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202.756.8000 AJS:etp
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Date: August 11, 2004



Docket No.: 50212-569

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of

Manabu SHIOZAKI, et al.

Serial No.: 10/764,497

Filed: January 27, 2004

For: DIFFRACTION GRATING ELEMENT, PRODUCTION METHOD OF DIFFRACTION GRATING ELEMENT, AND METHOD OF DESIGNING DIFFRACTION GRATING ELEMENT

: Customer Number: 20277
:
: Confirmation Number: 6260
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: Group Art Unit: Not yet assigned
:
: Examiner: Not yet assigned
:

TRANSMITTAL OF FORMAL DRAWINGS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

At the time the above application was filed, informal drawings were presented with the application.

Eleven (11) sheets of formal drawings are submitted herewith.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


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Registration No. 26,106

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